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**UNITED STATES BANKRUPTCY COURT  
 NORTHERN DISTRICT OF TEXAS  
 DALLAS DIVISION**

<b>IN RE:</b>	§	<b>CHAPTER 11</b>
	§	
<b>NATIONAL RIFLE ASSOCIATION OF          AMERICA and SEA GIRT LLC,</b>	§	<b>CASE NO. 21-30085-hdh11</b>
	§	
<b>DEBTORS<sup>1</sup></b>	§	<b>Jointly Administered</b>
	§	

**DEBTORS' AMENDED OBJECTIONS TO ATTORNEY GENERAL OF THE STATE OF  
 NEW YORK'S DESIGNATIONS OF DEPOSITIONS & PRIOR TESTIMONY AND  
DESIGNATIONS THERETO**

The National Rifle Association of America ("NRA") and Sea Girt LLC ("Sea Girt" and together with NRA, the "**Debtors**"), debtors and debtors-in-possession, by and through their counsel, submit the following Amended Objections and Counter-Designations to the Attorney General of the State of New York's ("NYAG") Designations of Depositions & Prior Testimony.

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<sup>1</sup> The last four digits of the Debtors' taxpayer identification numbers are: 6130 (NRA) and 5681 (Sea Girt).

### **GENERAL OBJECTIONS**

The Debtors object to the designations of any portion of the transcripts of Anthony Makris, William Winkler, or Melanie Montgomery for those reasons asserted in the *Debtors' Objections to Deposition Testimony from Prior Unrelated Cases and for Which Witnesses are Not Unavailable and Request to Exclude the Same* [ECF No. 494] ("Motion to Exclude") which arguments are incorporated herein as if fully set forth herein. The objections and counter-designations are therefore applicable only to the extent that the Motion to Exclude is overruled or the objections stated herein are otherwise overruled.

The Debtors further reserve their right to raise objections to testimony as it is read into the record or played live at the hearing in this matter.

Furthermore, the designations included testimony that may be cited as confidential and therefore, upon the Court's ruling on objections and testimony being submitted for the record, certain information may need to be sealed as appropriate.

Finally, the designating party has not indicated an intent to introduce any exhibits through these designations and Debtors reserves their rights to object if, and when, the designating party moves for the admission of any exhibits into evidence.

Debtors reserve the right to amend or supplement these objections and counter-designations.

### **SPECIFIC OBJECTIONS**

*Wayne LaPierre, 341 Meeting of Creditors, February 22, 2021*

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*David Warren, 341 Meeting of Creditors, February 22, 2021*

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*Wayne LaPierre, 341 Meeting of Creditors, March 5, 2021*

<b>Page: Lines</b>	<b>Objections</b>	<b>Counter-designations</b>
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47:5-49:4		
57:21-58:4	Vague and ambiguous; compound; calls for speculation; calls for a legal conclusion	

*David Warren, 341 Meeting of Creditors, March 5, 2021*

<b>Page: Lines</b>	<b>Objections</b>	<b>Counter-designations</b>
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15:24-16:6	Calls for speculation	
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*John Frazer, 341 Meeting of Creditors, March 5, 2021*

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47:5-48:13	Testimony of Wayne Lapierre; duplicative of designation referenced in earlier section above	

*Sonya Rowling, 341 Meeting of Creditors, March 5, 2021*

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*Deposition of John Frazer, 30(b)(6), taken on March 15, 2021*

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19:4-20:12	Misstates testimony	
21:17-20	Counsel's question is not evidence	
22:17-20	Counsel's question is not evidence	
24:15-20	30(b)(6) scope	
25:1-9		
28:16-29:14		
30:10-16	Form; foundation; assumes facts not in evidence; argumentative; calls for speculation	
33:11-34:10		
34:11-12	Assumes facts not in evidence	
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36:6-16	Form; foundation; argumentative	
45:2-46:18		
47:15-25	Form; unclear question; vague; ambiguous; assumes facts not in evidence	

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49:2-6	Assumes facts not in evidence; argumentative	
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54:3-18	30(b)(6) scope	
55:13-56:21	Assumes facts not evidence	
58:6-59:16	30(b)(6) scope	
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78:7-79:6	Form	
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90:25-91:3	Calls for a legal conclusion	
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99:13-100:6	30(b)(6) scope	
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143:24-144:23	Form	

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166:5-167:25	Form; misstates testimony	
170:25-171:17	Question calls for speculation and characterization of events that occurred; incomplete hypothetical; argumentative	
175:6-19	Form; 30(b)(6) scope; assumes facts not in evidence	
185:21-186:24	Hearsay (FRE 802)	187:21-188:10
188:11-24		190:6-9
189:20-190:1	Question derived from inadmissible hearsay (FRE 802)	
190:16-18	Hearsay (FRE 802)	
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194:21-195:3		
195:23-196:8		
197:25-198:11	30(b)(c) scope; form; compound	
201:9-23	Vague; form	
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213:6-15	30(b)(6) scope	
220:13-222:10	Document speaks for itself	

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226:9-227:4		
228:14-230:2		
230:10-231:9	Question calls for Speculation; relevance (FRE 401)	
231:15-233:1	Question calls for speculation; calls for a legal conclusion; 30(b)(6) scope	
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322:7-24	30(b)(6) scope; misleading; object to the extent it is intended to elicit a legal conclusion as to the meaning of certain language in the NRA's bylaws	

*Deposition of John Frazer, individually, March 18, 2021*

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39:24-40:22	Misstates prior testimony; Document speaks for itself; Hearsay	
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60:2-10	Relevance; Ambiguous	
61:6-11	Relevance	
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84:24-86:12	Ambiguous (84:24-25); = Ambiguous (85:1-19)	
88:13-92:2	Ambiguous and calls for speculation (88:13-25); Ambiguous, misleading, and compound (89:1-25); Misleading, misstates prior testimony, ambiguous (90:1-25);	
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95: 3-13	Attorney-client privilege; Ambiguous	

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97:13-24	Relevance; Lacks foundation; Calls for speculation	
98:16-21	Relevance ; Lacks foundation; Calls for speculation	
99:18-100:3	Relevance; Lacks foundation; Calls for speculation	
101:21-102:2		
102:11-13	Lacks foundation; Calls for speculation	
102:24-25		
103:14-20		
104:8-25	Relevance; Lacks Foundation; Calls for speculation; Ambiguous	
105:13-17	Relevance; Lacks Foundation; Calls for speculation	
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113:24-114:21	Ambiguous; Misleading; Lacks Foundation; Document speaks for itself; Best evidence.	
117:7-118:2	Misleading; Misstates prior testimony	
118:15-22	Compound; Misleading	
119:14-120:3		
120:10-122:2	Lacks Foundation; Ambiguous	

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128:9-130:1	Ambiguous; Lacks Foundation; Hypothetical	
133:22-134:1		
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140:23-141:8	Relevance; Ambiguous; Lacks Foundation	
141:14-143:19	Relevance; Ambiguous; Misstates prior testimony	
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195:1-12	Calls for a legal conclusion; Improper opinion; Calls for speculation; Hypothetical	
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227:11-228:5	Calls for legal advice; Improper opinion	
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246:2-6	Calls for legal advice; Improper opinion; Calls for speculation; hypothetical	
258:14-21		
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267:25-268:5	Relevance; Ambiguous; Misleading	
276:12-277:2	Ambiguous; Misleading	
283:18-284:18	Ambiguous; Misleading	
289:2-21	Ambiguous; Misleading; Compound	
290:14-21	Misstates prior testimony; Ambiguous; Misleading	
291:12-21	Calls for legal conclusion; Improper opinion	
292:1-8	Misleading; Hypothetical	
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*Deposition of Wilson Phillips, Jr, taken on March 19, 2021*

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46:1-47:1	Calls for speculation	
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58:15-62:13	Misstates testimony (59:11-22); Document speaks for itself (60:3-5); Foundation and speculation (60:23-25, 61:5-14)	
63:6-64:10		
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68:10-76:11	Foundation and speculation (73:25 – 76:11)	
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90:16-91.3		
92:16-93:24	Foundation and speculation	
92:20-24	Improper opinion testimony	
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98:19-98:22		98:23-24
100:11-104:6	Foundation and speculation	
108:17-111:2	Foundation and speculation	
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117:15-121:19	Foundation and speculation	
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124:12-125:17	Foundation, speculation, assumes facts not in evidence (125:10-14)	
126:9-127.3	Foundation and speculation (126:9-20)	
129:9-147:13	Foundation and speculation (129:18-132:19; 133:11-134:3; 134:16-135:23; 136:18; 139:19-140:9; 146:4-20); Assumes facts not in evidence (140:10-11; 140:21-22; 141:7-9; 142-7-8); Document speaks for itself, calls for a legal conclusion (143:13-146:3); Misstates testimony and hearsay (146:21-147:13)	
148:23-150:2	Foundation	

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157:20-159:2	Foundation and speculation	
160:10-163:17	Foundation and speculation (161:17-21; 162:2-16; 163:6-10)	
164:17-174:14	Vague (164:17-165:14); Foundation (165:22-166:7; 173:23-25); Speculation (170:22-171:17); Document speaks for itself	
178:4-181:19	Foundation (178:4-179:2); Foundation and speculation (180:25-181:6)	
182:5-17	Foundation and speculation	
186:11-187:9	Foundation and speculation	
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204:14-212:13	Foundation: document speaks for itself; Assumes facts not in evidence (206:8)	
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213:4-215:16	Calls for a legal conclusion (215:5-13)	
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*Deposition of Sonya Rowling, 30(b)(6), taken on March 19, 2021*

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*Deposition of Wayne LaPierre, individually and 30(b)(6), taken March 22-23, 2021*

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113:6–118:5	Foundation, speculation (114:24-115:11)	118:6-25
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124:19–129:9	Argumentative, assumes facts not in evidence, calls for a legal conclusion	
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*Deposition of Craig Spray, taken March 24, 2021*

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*Deposition of Tony Makris, taken March 24, 2021*

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94:16-95:13	Relevance	92:1-25; 117:7-18



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245:13-247:21	Relevance  <i>Confidential (247:3-21)</i>	74:5-75:23
250:1-251:9	<i>Confidential (249:1-251:15)</i>	284:22-285:2
252:13-255:21	Document speaks for itself  <i>Confidential (252:22-254:6)</i>	284:22-285:2
260:3-261:8	Relevance; Foundation; Speculation; Hearsay	
265:9-266:11	Foundation; Speculation	

Page: Lines	Objections	Counter-designations
266:24-269:9	Document speaks for itself; Argumentative, Leading, Form, Assumes facts not in evidence; mischaracterizes testimony (267:25-268:6)	
272:2-20	Lack of Foundation; Hearsay	

*Deposition of Gayle Stanford, taken March 25, 2021*

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31:11-32:01		
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32:21-33:01	Vague	
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33:06-33:10	Vague	

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43:13-43:21		44:4-5
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45:23-46:01		
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Page: Lines	Objections	Counter-designations
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46:15-46:22	Speculation	
46:25-47:16		
47:19-48:01		
48:02-48:20		
48:22-49:03		
49:04-49:14		49:15-20
49:21-49:25	Vague	
50:02-50:15		
50:18-51:10		
51:25-52:03		
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52:20 -53:03		
53:08-53:22		
54:10-54:22		
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57:25-59:14		
60:18-60:23		
60:25-61:05		
61:06-61:10		
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61:22-61:25		
62:24-63:14		
63:16-63:16		
65:18-65:20	Misstates testimony	
66:05-66:11		
66:17-66:23		
66:24-67:15		
67:16-67:22		
67:23-67:25	Calls for speculation	
68:03-68:07	Calls for speculation	
68:19-68:24		
75:21-76:08		
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87:17-88:12		
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95:01-95:05		
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119:01-119:02		
119:07-119:25		
120:01-120:09		
120:10-120:10		
120:12-120:21		
120:23-121:15		
122:01-122:16	Speculation (122:13-18)	
122:18-122:18	Speculation (122:13-18)	

Page: Lines	Objections	Counter-designations
122:19-123:07	Outside scope of direct	
123:09-124:05	Outside scope of direct	

*Deposition of William Winkler, 30(b)(6), taken March 26, 2021*

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65:8-20		
69:8-70:11	Hearsay testimony based on out-of-court statements of Angus McQueen (69:17-23)	66:10-69:7
70:12-72:25	Hearsay testimony based on out-of-court statements of Rick Tedrick (71:15-23 )  Hearsay testimony based on out-of-court statements of Angus McQueen (75:5-7)	
73:1-14	Hearsay testimony based on out-of-court statements of Angus McQueen	
74:16-75:24		
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101:20-104:13		104:14-105:19
108:5-109:15		107:10-108:4 109:16-110:3
110:4-22	Hearsay testimony based on out-of-court statements of Angus McQueen	
116:14-117:2		116:4-13
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123:11-124:8	Speculation; Lacks foundation (123:6-9)	124:9-127:7
143:21-148:2	Hearsay testimony based on out-of-court statements of Angus McQueen (144:3-6)	



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151:12-21		151:22-152:19
152:20-154:14	Hearsay testimony based on out-of-court statements of Angus McQueen (152:22-153:1)  Hearsay testimony based on out-of-court statements of Angus McQueen (153:12-18)	
156:4-160:22	Hearsay testimony based on out-of-court statements of Angus McQueen (156:22-158:16)	
163:18-167:21	Hearsay testimony based on out-of-court statements of Angus McQueen (164:6-13)  Hearsay testimony based on out-of-court statements of Angus McQueen (164:19-21)	162:8-163-17
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230:2-231:9	Hearsay testimony based on out-of-court statements by various declarants verbally and in writing ( <i>See</i> testimony at 156:25-158:12)	
233:15-235:8	Argumentative; speculation; lacks foundation; hearsay based on review of out-of-court statements by Montgomery	
236:2-237:3	Hearsay testimony based on out-of-court statements by Angus McQueen and review of out-of-court statements by Montgomery	
239:10-243:24	Speculation, lacks foundation (241:13-242:6); Relevance (242:1-6); Hearsay; no personal knowledge, lacks foundation (243:5-243:24)	238:18-239:9
244:3- 246:7	Hearsay ( <i>see</i> testimony at 254:3-8 (witness testifies he was not party to conversation about which he gave testimony); Argumentative, speculation, lacks foundation (245:13-17)	

*Deposition of Melanie Montgomery, taken March 31, 2021*

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117:10 -19		
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Dated: April 7, 2021

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on all parties receiving notice by and through the Court's CM/ECF system on April 7, 2021.

/s/ Caitlin Halm  
Caitlin Halm, an employee of  
Garman Turner Gordon LLP